

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Mortgage Electronic Registration Systems,
Inc., as nominee for Fremont Investment &
Loan,

Civil No. 10-4468 (RHK/SER)

ORDER

Plaintiff,

v.

United States of America, U.S. Bank National
Association ND, and Ronald T. Mueller,

Defendants.

Plaintiff Mortgage Electronic Registration Systems, Inc., as nominee for Fremont Investment & Loan (“MERS”) and Defendant United States of America (“United States”), through their counsel of record, submitted a Stipulation to this Court seeking entry of an order and judgment pursuant to the Stipulation. MERS and the United States stipulated as follows:

1. This action concerns real property located in Ramsey County, Minnesota, commonly described as 1705 Ivy Avenue East, St. Paul, Minnesota, and legally described as follows:

The East 30 feet of Lot 26, and all of Lot 27, Hazel Park Division 7, St. Paul, Ramsey County, Minnesota.

(the “Property” and the “Correct Legal Description”)

2. MERS has a mortgage on the Property, executed by Ronald T. Mueller, to MERS, dated December 20, 2004 and recorded January 7, 2005 with the Ramsey County Recorder as document number 3822260 (the “MERS Mortgage”).

3. The United States has a tax lien on the Property recorded April 3, 2009 with the Ramsey County Recorder as document number 4150016 (the “Tax Lien”).

4. MERS and the United States have reached a settlement as to all claims and issues between them in this action.

5. MERS has paid \$30,000.00 to the United States as part of the settlement between MERS and the United States in this action.

6. The United States consents to, and will not contest, the reformation of the legal description of the MERS Mortgage to properly state the Correct Legal Description.

7. The MERS Mortgage is in all respects prior and superior to the Tax Lien.

8. The United States may be dismissed from this action with prejudice and without costs, disbursements or attorneys’ fees awarded to any party hereto.

9. MERS may apply to the Court for an order approving this stipulation, and for the entry of judgment consistent with the terms of this stipulation, without a hearing or notice to the United States.

ORDER

Pursuant to the Stipulation between MERS and the United States, **IT IS ORDERED:**

1. The United States has consented to, and shall not contest, the reformation of the legal description of the MERS Mortgage to properly state the Correct Legal Description.

2. The MERS Mortgage is in all respects prior and superior to the Tax Lien.

3. The United States is **DISMISSED WITH PREJUDICE** from this action, without costs, disbursements or attorneys' fees awarded to any party.

Dated: April 8, 2011

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge